

On March 29, 1933, no claim or appearance having been entered in the New York case, judgment was entered ordering that the product be condemned and destroyed. On April 25, 1933, Charles H. Lilly Co., Seattle, Wash., having appeared as claimant in the case instituted in the District of New Jersey, having admitted the allegations of the libel, and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$1,500, conditioned that it be rendered unfit for human consumption and used as chicken feed.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20866. Adulteration of apples. U. S. v. 50 Bushels and 202 Bushels of Apples. Product released under bond for separation and destruction of unfit portion. (F. & D. nos. 29138, 29230. Sample nos. 23964-A, 23965-A.)

These cases involved interstate shipments of apples, samples of which were found to bear arsenic and lead in amounts that might have rendered the article injurious to health.

On October 4 and October 12, 1932, the United States attorney for the Eastern District of Missouri, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States libels praying seizure and condemnation of 252 bushels of apples at Hannibal, Mo., alleging that the article had been shipped in interstate commerce, in various lots on or about September 19, 21, and 22, 1932, by H. M. Seymour, from Payson, Ill., to Hannibal, Mo., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Grimes Golden * * * Washed Apples Grown and Packed by H. M. Seymour, Payson, Ill."

It was alleged in the libels that the article was adulterated in that it contained added lead and arsenic, which might have rendered it deleterious to health.

On October 24, 1932, H. M. Seymour, Payson, Ill., having filed claims and answers admitting the allegations of the libels, but representing that the unfit apples could be separated from those fit for human consumption, judgments were entered ordering that the product be released to the claimant under bonds amounting to \$500, conditioned that the unfit portion be destroyed, and that claimant pay costs of the proceedings.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20867. Adulteration of apples. U. S. v. 18 Bushels and 7 Bushels of Apples. Default decrees of condemnation, forfeiture, and destruction. (F. & D. nos. 29607, 29608. Sample nos. 29954-A, 29972-A.)

These cases involved shipments of apples bearing arsenic and lead in amounts that might have rendered them injurious to health.

On November 9, 1932, the United States attorney for the Northern District of Indiana, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States libels praying seizure and condemnation of 25 bushels of apples at Hammond, Ind., alleging that the article had been shipped in interstate commerce, on or about October 26 and October 27, 1932, by H. Shlensky & Son, from Benton Harbor, Mich., to Hammond, Ind., and charging adulteration in violation of the Food and Drugs Act. A portion of the article was labeled in part: "Ryno Wendzel Coloma, Mich. * * * N. Spie", and the remainder was labeled in part: "Fred Rosenbaum R3 Benton Harbor Mich * * * Pippin."

It was alleged in the libels that the article was adulterated in that it contained added poisonous or deleterious ingredients, arsenic and lead, which might have rendered it harmful to health.

On March 6, 1933, no claimant having appeared for the property, and the apples being then in a decaying condition, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

R. G. TUGWELL, *Acting Secretary of Agriculture.*

20868. Adulteration and misbranding of butter. U. S. v. 15 Cases and 10 Cases of Butter. Consent decrees of condemnation and forfeiture. Product released under bond to be reworked. (F. & D. nos. 30395, 30396. Sample nos. 28721-A, 28756-A.)

These cases involved interstate shipments of butter, samples of which were found to contain less than 80 percent by weight of milk fat, the standard for butter established by Congress.